

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

DURA AUTOMOTIVE SYSTEMS, LLC, *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 19-12378 (KBO)
)
) (Jointly Administered)
)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON MARCH 2, 2020 AT 10:00 A.M. (ET)³**

**THE HEARING HAS BEEN CANCELLED AT THE DIRECTION OF THE COURT
AS THERE ARE NO MATTERS GOING FORWARD.**

I. ADJOURNED MATTERS

1. **2004 Motion (Dura Debtors).** Motion of the Official Committee of Unsecured Creditors for an Order Under Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Production of Documents by the Debtors [Filing Date: 12/13/19; Docket No. 414].

Response Deadline: December 19, 2019 at 12:00 p.m. (ET), extended as to the Debtors only until December 19, 2019 at 4:00 p.m. (ET).

Responses Received:

- A. Statement of the Zohar Debtors Regarding Motion of the Official Committee of Unsecured Creditors for an Order Under Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Production of Documents by the Debtors [Filing Date: 12/18/19; Docket No. 444].

¹ The debtor entities in these chapter 11 cases, along with the last four digits of each Debtor entity's federal tax identification number, are: Dura Automotive Systems Cable Operations, LLC (7052); Dura Automotive Systems, LLC (8111); Dura Fremont L.L.C. (1252); Dura G.P. (8092); Dura Mexico Holdings, LLC (4188); Dura Operating, LLC (2304); and NAMP, LLC (3693). Dura Automotive Systems, LLC's service address is: 1780 Pond Run, Auburn Hills, Michigan 48326.

² **Amended items appear in bold.**

³ Please note that the hearing is before the Honorable Karen B. Owens in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6th Floor, Courtroom No. 3, Wilmington, Delaware 19801. Any person who wishes to appear telephonically must contact COURTCALL, LLC at 866-582-6878 no later than 12:00 p.m. (ET) one business day prior to the hearing. Chambers must be contacted regarding any late requests for telephonic appearances.

- B. Debtors' Objection to the Motion of the Official Committee of Unsecured Creditors for an Order Under Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Production of Documents by the Debtors [Filing Date: 12/19/19; Docket No. 449].

Related Documents:

- A. Order Shortening Notice Regarding Motion of the Official Committee of Unsecured Creditors for an Order Directing the Production of Documents by the Debtors [Date Entered: 12/16/19; Docket No. 435].
- B. Notice of Motion of the Official Committee of Unsecured Creditors for an Order Under Bankruptcy Rule 2004 and Local Bankruptcy Rule 2004-1 Directing the Production of Documents by the Debtors [Date Filed: 12/16/19; Docket No. 436].
- C. Certification of Counsel Regarding Agreed Order Extending Sale, Plan and Challenge Timelines [Date Filed: 12/31/19; Docket No. 501].
- D. Order (Agreed) Extending Sale, Plan and Challenge Timelines (With Revisions Made by the Court) [Date Entered: 1/2/20; Docket No. 514].

Status: By agreement of the parties, this matter is adjourned to the next omnibus hearing on March 23, 2020.

- 2. **Motion to Seal Declaration.** Motion of the Official Committee of Unsecured Creditors for Entry of an Order, Pursuant to Bankruptcy Code Section 107(b), Bankruptcy Rule 9018, and Local Rule 9018-1(d), Authorizing the Committee to File Under Seal the Third Supplemental Declaration of Oscar N. Pinkas in Connection with the Order Authorizing Employment and Retention as Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to November 1, 2019 [Date Filed: 2/14/20; Docket No. 658].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET).

Responses Received:

- A. Informal comments from the U.S. Trustee.

Related Documents:

- A. None.

Status: By agreement of the parties, this matter is adjourned to the next omnibus hearing on March 23, 2020.

3. **Motion for Relief from Stay.** Motion of Nissan Motor Acceptance Corporation for Relief from Automatic Stay [Date Filed: 2/17/20; Docket No. 660].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET), extended as to the Debtors only until March 16, 2020 at 4:00 p.m. (ET).

Responses Received:

A. None.

Related Documents:

A. None.

Status: By agreement of the parties, this matter is adjourned to the next omnibus hearing on March 23, 2020.

II. RESOLVED MATTERS

4. **Motion to Extend Time.** Debtors' Motion for Entry of an Order Extending the Time Within Which the Debtors Must Assume or Reject Unexpired Leases of Nonresidential Real Property [Date Filed: 2/13/20; Docket No. 653].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET).

Responses Received:

A. None.

Related Documents:

A. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order Extending the Time Within Which the Debtors Must Assume or Reject Unexpired Leases of Nonresidential Real Property [Date Filed: 2/25/20; Docket No. 701].

B. Order Extending the Time Within Which the Debtors Must Assume or Reject Unexpired Leases of Nonresidential Real Property [Date Entered: 2/26/20; Docket No. 708].

Status: An order has been entered regarding this matter. Accordingly, no hearing is necessary.

III. MATTERS UNDER CERTIFICATION

5. **KEIP Motion (SEALED).** Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/10/20; Docket No. 632].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET); extended only as to the Official Committee of Unsecured Creditors (the "Committee") until February 26, 2020 at 12:00 a.m. (ET) and the Office of the United States Trustee (the "U.S. Trustee") until February 26, 2020 at 3:00 p.m. (ET).

Responses Received:

- A. Statement of the Official Committee of Unsecured Creditors Regarding the Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors Key Employee Incentive Plan [Date Filed: 2/25/20; Docket No. 704].
- B. Informal comments from the U.S. Trustee.

Related Documents:

- A. [REDACTED] Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/11/20; Docket No. 634].
- B. [SEALED] Certification of Counsel Regarding Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/27/20; Docket No. 717].
- C. [REDACTED] Certification of Counsel Regarding Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/27/20; Docket No. 718].
- D. **Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Entered: 2/28/20; Docket No. 726].**

Status: **An order has been entered regarding this matter. Accordingly, no hearing is necessary.**

6. **Motion to Seal KEIP.** Debtors' Motion for Entry of an Order Authorizing the Debtors to File Under Seal Certain Confidential Information Related to the Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/11/20; Docket No. 633].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET).

Responses Received:

- A. None.

Related Documents:

- A. [SEALED] Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/10/20; Docket No. 632].
- B. [REDACTED] Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/11/20; Docket No. 634].
- C. Certification of Counsel Regarding Revised Proposed Order Authorizing the Debtors to File Under Seal Certain Confidential Information Related to the Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Filed: 2/27/20; Docket No. 716].
- D. **Order Authorizing the Debtors to File Under Seal Certain Confidential Information Related to the Debtors' Motion for Entry of an Order Authorizing and Approving the Debtors' Key Employee Incentive Plan [Date Entered: 2/28/20; Docket No. 725].**

Status: **An order has been entered regarding this matter. Accordingly, no hearing is necessary.**

7. **Motion to Seal Statement.** Motion of DIP Lenders to Seal the Statement Regarding Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into the DIP Amendment [Date Filed: 2/12/20; Docket No. 645].

Response Deadline: February 24, 2020 at 4:00 p.m. (ET).

Responses Received:

- A. None.

Related Documents:

- A. Certificate of No Objection Regarding Motion of DIP Lenders to Seal the Statement Regarding Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into the DIP Amendment [Date Filed: 2/28/20; Docket No. 721].

- B. **Order Granting Motion of DIP Lenders to Seal the Statement Regarding Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into the DIP Amendment [Date Entered: 2/28/20; Docket No. 721].**

Status: **An order has been entered regarding this matter. Accordingly, no hearing is necessary.**

8. **Customer Accommodation Motion.** Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into an Accommodation Agreement with Certain Customers [Date Filed: 2/20/20; Docket No. 675].

Response Deadline: February 27, 2020 at 4:00 p.m. (ET).

Responses Received:

- A. Informal comments from the U.S. Trustee.
- B. Informal comments from the Committee.
- C. Informal comments from certain of the Debtors' customers.

Related Documents:

- A. Order Granting the Debtors' Motion for an Expedited Hearing with Respect to the Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into an Accommodation Agreement with Certain Customers [Date Entered: 2/21/20; Docket No. 680].
- D. Amended Notice of Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into an Accommodation Agreement with Certain Customers [Date Filed: 2/21/20; Docket No. 682].
- E. Certification of Counsel Regarding Revised Proposed Order Amended Notice of Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into an Accommodation Agreement with Certain Customers [Date Filed: 2/28/20; Docket No. 723].
- F. **Order Authorizing the Debtors to Enter into an Accommodation Agreement with Certain Customers [Date Entered: 2/28/20; Docket No. 728].**

Status: **An order has been entered regarding this matter. Accordingly, no hearing is necessary.**

Additionally, the Debtors agreed to include the following language in the certificate of counsel, which was inadvertently omitted:

The Committee has discussed with the Debtors the intended uses of the proceeds of the Accommodation Agreement since the Debtors have not yet sought approval of a new debtor-in-possession (“DIP”) financing budget, and the Debtors’ intentions in seeking approval of new DIP financing deadlines. The Debtors have advised that (i) they do not seek to modify the current DIP financing budget at this time, instead they shall obtain approval of an amendment of the DIP financing budget before the end of the current budget period, and will remain in compliance with the current DIP financing budget until that time; and (ii) the Debtors have requested an extension of the DIP financing deadlines and are finalizing the terms of such extension with the DIP lender. The Committee reserves all rights with respect thereto, including the use of proceeds of the Accommodation Agreement not in accordance with the DIP budget and generally.

Dated: February 28, 2020
Wilmington, Delaware

BAYARD, P.A.

/s/ Daniel N. Brogan

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